

Aug. 14. 2006 4:23PM

NORRIS, McLAUGHLIN & MARCUS
A PROFESSIONAL CORPORATION

No. 1989 P. 1

875 THIRD AVENUE
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FACSIMILE COVER SHEET

TO: Examiner To be assigned
US Patent and Trademark Office

SERIAL NO.: : 10/522,520

TELEFAX:

MAIL STOP PETITION
571-273-8300

ATTORNEY DOCKET NO.:

102132-24

DATE:

August 14, 2006

MESSAGE:

I hereby certify that the following papers are being transmitted by facsimile to the Patent and Trademark Office on the date shown below:

- Petition to withdraw holding of abandonment - (3 pages) - PLEASE CHARGE DEPOSIT ACCOUNT 14-1263
- Declaration of Nanci Manfredi - (3 pages)
 - EXHIBIT A (1 page)
 - EXHIBIT B (1 page)
 - EXHIBIT C (2 pages)
- Copy of Notice of Abandonment - (1 page)
- Copy of Notice to File Missing Requirements - (2 pages)
- Declaration & Power of Attorney executed by the inventor (3 pages)
- Fax Cover sheet - (1 page)

CHARGE DEPOSIT ACCOUNT 14-1263

By Olimpia Jakubowska-Wrobel Date August 14, 2006

We are transmitting 17 pages, including cover page. If the transmission is not complete, please call (212) 808-0700 and ask for Olimpia Jakubowska-Wrobel at Ext. 8871.

This is the only form of delivery for this document:

New Jersey Office: 721 Route 202-206
P.O. Box 1018
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PATENTS

FACSIMILE CERTIFICATION

I hereby certify that this paper and every paper referred to therein as is being transmitted via facsimile, to USPTO fax number: (571) 273-8300, to the United States Patent and Trademark Office, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 14, 2006

By Olimpia Jakubowska-Wrobel
Olimpia Jakubowska-Wrobel

PLEASE CHARGE ANY
~~DEFICIENCIES UP TO \$600 OR~~
CREDIT ANY EXCESS IN THE FEES
DUE WITH THIS DOCUMENT TO
OUR DEPOSIT ACCOUNT No. 14-1263

Attorney Docket No.: 102132-24

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Gerd MOSSAKOWSKI
I.A. NO. : PCT/ DE 2003/002556
SERIAL NO. : 10/522,520
CUSTOMER NO. : 27,388
FILED : January 27, 2003
FOR : METHOD FOR VIDEO OBJECT MONITORING WITH A
MOBILE COMMUNICATION SYSTEM

ART UNIT : TBA
EXAMINER : TBA

Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sir:

On July 21, 2006, Applicant received a Notice Of Abandonment in the above-identified application, which indicated that Applicant failed to timely reply to the Notice to File Missing Requirements mailed on July 29, 2005. Attached to the Notification Of Abandonment was also a Notification Of

Missing Requirements bearing the mailing date of July 29, 2005. This Notification was sent to Applicant's Attorney (without indication of Applicant Attorney's firm)

Christa Hildebrand
875 Third Avenue
18th Floor
New York, New York 10022.

Applicant's Attorney never received this Notice to File Missing Requirement (see also the Declaration of Nanci Manfredi, the firm's head docket clerk), probably due to the incomplete address. Thus, Applicant's Attorney submits that the Notice of Abandonment was issued in error and should be withdrawn.

Facts:

1. Applicant filed the above identified National Phase application on January 27, 2005.
2. Applicant received the self-addressed stamped Return-Receipt Postcard, confirming filing of the above-identified application and indicating the above-identifies Serial Number.
3. All documents as filed with the PTO indicated either Applicant Attorney's Customer Number and/or Applicant Attorney's as stated above.

Accordingly, Applicant Attorney respectfully requests withdrawal of the abandoned status of the application.

Since the Notice Of Abandonment included a copy of the previously sent (but not timely received) Notice Of Missing Requirements, Applicant's Attorney herewith also responds to the Notice by submitting Applicants Combined Declaration and Power of Attorney, so that the application moves to examination.

Applicant authorizes the US PTO to charge all fees necessary in response to the late filing of the declaration to Deposit Account No. 14-1263.

Applicant believes that no fee is required for the Petition to Withdraw. However, should the Commissioner determine that any fee is, in fact, due, he is hereby authorized to charge the fee to

Deposit Account No. 14-1263.

Early and favorable action is earnestly solicited.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A

By Christa Hildebrand

Christa Hildebrand

Reg. No. 34,953

Norris McLaughlin & Marcus PA

875 Third -18th Floor

New York, New York 10022

(212) 808-0700

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FACSIMILE CERTIFICATION

I hereby certify that this paper and every therein
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Office on the date Shown below:
Fax (571) 273-8300

 August 14, 2006
Olimpia Jakubowska-Wrobel Date

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CREDIT ANY EXCESS IN THE
FEES DUE WITH THIS DOCUMENT
TO OUR DEPOSIT ACCOUNT No.
14-1263

Attorney Docket No.: 102132-24

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Gerd Mossakowski
SERIAL NO. : 10/522,520
I.A. NO. : PCT/DE 2003/002556
FILED : January 27, 2006
FOR : Method for Video Monitoring Objects by Means of a Mobile
Communication System.
ART UNIT : 2681
EXAMINER : To be assigned

August 14, 2006

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

DECLARATION OF Nanci Manfredi

SIR:

I, Nanci Manfredi, hereby declare as follows:

1. I am the head docket clerk of the New York City office of Norris McLaughlin & Marcus.

2. The New York City office of Norris McLaughlin & Marcus is handling the prosecution of U.S. Serial No. 10/522,520 which is also known by our internal docket number 102132-24.

3. I am informed that a Notice to File Missing Requirements was issued on July 29, 2005, in connection with U.S. Serial No. 10/522,520.

4. I can say with absolute certainty that such Notice to File Missing Requirements was not received in our office.

5. All papers received in our office are handled by me or a member of my staff under my direction and control.

6. Attached as Exhibit 1 is a copy of our docket card for 102132-24, which, again, is our internal docket number for U.S. Serial No. 10/522,520.

7. When official papers are received by the docket department, the due dates are entered onto the docket cards of the pertinent cases.

8. The record shows no Notice to File Missing Requirements was received in connection with U.S. Serial No 10/522,520.

Applicants: Gerd Mossakowski
Serial No.: 10/522,520

9. Further, I have checked the file and the unmatched papers in the office and the original Notice to File Missing Requirements is not in the file or among the unmatched papers.

10. Therefore, I can conclude with absolute certainty that the original Notice to File Missing Requirements was not received in our office.

11. On its face, the Notice to File Missing Requirements was sent to address Christa Hildebrand at 875 Third Avenue - 18th Floor, New York, New York 10022, which is an incomplete address. The firms address is Norris McLaughlin & Marcus PA at 875 Third Avenue - 18th Floor, New York, New York 10022, as indicated by Customer No. 27388.

13. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that the foregoing statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 8/14/06

By Nanci Manfredi
Nanci Manfredi

Applicants: Gerd Mossakowski
Serial No.: 10/522,520

Page 3 of 3

| Due Date Indicator | Action Due Action Type | Case Number/SubCase Country | Status Client | App Number Pat Number | App Date Iss Date | Attys |
|---------------------------|---|--|--|--------------------------|----------------------|------------------|
| 18-Sep-2005 Reminder | DDK PUB SCANNED PTO? IMO PUB SCAN PCT | 02792 262 / United States of America <i>Title: STAIN TREATING COMPOSITION</i> | Published Reckitt Benckiser Inc. | 10/490238 | 14-Oct-2004 | ANP NM |
| 23-Sep-2005 Reminder | RECEIVE MISSING PARTS? 9MO RECEIVE MISSING PARTS? PCT | 02792 386 / United States of America <i>Title: DETERGENT COMPOSITION</i> | Published Reckitt Benckiser Inc. | 10/519119 | 23-Dec-2004 | ANP NM |
| 27-Sep-2005 Due Date | NM CUI Awaiting FILING RECEIPT NM CUI PCT | 01215 178 / United States of America <i>Title: METHOD AND DEVICE FOR RECOGNIZING THE LEVEL OF AWARENESS OF A VEHICLE DRIVE</i> | Pending Guido Hengelhaupt Ziebig | 10/524351 | 11-Feb-2005 | BSL NM |
| 27-Sep-2005 Due Date | NM CUI Awaiting FILING RECEIPT NM CUI PCT | 02132 024 / United States of America <i>Title: METHOD FOR VIDEO MONITORING OBJECTS BY MEANS OF A MOBILE COMMUNICATION SYSTEM</i> | Pending Dr. Ing. Peter Riebling | 10/522520 | 27-Jan-2005 | CH NM |
| 27-Sep-2005 Reminder | RECEIVE MISSING PARTS? 8MO RECEIVE MISSING PARTS? PCT | 02132 024 / United States of America <i>Title: METHOD FOR VIDEO MONITORING OBJECTS BY MEANS OF A MOBILE COMMUNICATION SYSTEM</i> | Pending Dr. Ing. Peter Riebling | 10/522520 | 27-Jan-2005 | CH NM |
| 28-Sep-2005 Final | DDK PUB SCANNED? PUB SCAN ORD | 03821 004 / United States of America <i>Title: GEAR SHIFT ASSEMBLY</i> | Published ZF Lemforder Metallwaren AG | 10/976250 | 28-Oct-2004 | CH NM |
| 30-Sep-2005 Due Date | NM CUI P/A PCT | 01221 651 / 745 Mexico <i>Title: SYNERGISTIC ORGANOBORATE COMPOSITIONS AND LUBRICATING COMPOSITIONS CONTAINING SAME</i> | Pending R.T. Vanderbilt Company | PA/a/5/002664 | 09-Mar-2005 | BSL MDM NM |
| <i>Remarks: TO CL2/17</i> | | | | | | |

EXHIBIT A

Invention Data

Thursday, August 10, 2006

Page: 1

Case Number: 02132 024

Client: 02132 Dr. Ing. Peter Riebling

Client Reference #: 18364.2-D2867

Disclosure Status: Filed

Disclosure Date:

Owner: T-MOB T-Mobile deutschland GmbH

Attorney(s): CH NM

Title: METHOD FOR VIDEO MONITORING OBJECTS BY MEANS OF A
MOBILE COMMUNICATION SYSTEM

Priority Date: 29-Jul-2002 Country: Germany

Country Applications:

| Ctry | Sub Case | Case Type | Status | Application Number | Filing Date | Patent Number | Issue Date |
|------|-------------|--------------|---------|-----------------------|----------------|------------------|---------------|
| US | | PCT | Pending | 10/522520 | 27-Jan-2005 | | |

Assignment History:

| Assignment From | Assignment To | Assignmt Date | Reel | Frame |
|-----------------|---------------------------|---------------|--------|-------|
| Inventor | T-Mobile Deutschland GmbH | 29-Jun-2005 | 016441 | 0141 |

User ID: nanci

Date Created: 11-Jan-2005

Last Update: 24-Aug-2005

EXHIBIT C**Country Application**

Thursday, August 10, 2006

Page: 1 of 2

| | | |
|--|--------------------------------------|-----------------|
| Case Number: 02132 024 | Country: US | SubCase: |
| Client: Dr. Ing. Peter Riebling | United States of America | |
| Case Type: PCT | Application Status: Pending | |
| Application Number: 10/522520 | Filing Date: 27-Jan-2005 | |
| Publication Number: | Publication Date: | |
| Patent Number: | Issue Date: | |
| Parent/PCT Number: DE03/02556 | Parent/PCT Date : 29-Jul-2003 | |
| Parent Issue Number: | Parent Issue Date : | |
| Tax Schedule: LE | Expiration Date: | |
| Confirmation #: 1458 | Patent Term Adjustment: 0 | |
| Agent: NMM | Agent Reference #: NY | |
| Norris McLaughlin & Marcus | | |

Remarks: Priority No.: 102 34 644.5
Priority Date: 7/29/02

NEW APPL,PRELIM,DRAW,INFO MLD-1/27/5 PD MLD-5/18/5
ASSIGN FXD-6/29/5

List Of Actions

| Action(s) Due | Due Date | Action Taken |
|-----------------------------|-------------|----------------------|
| PRIORITY | 29-Jan-2005 | Due Date 27-Jan-2005 |
| NM PC ? | 27-Feb-2005 | Due Date 27-Jan-2005 |
| RECEIVE MISSING PARTS? 2MO | 27-Mar-2005 | Reminder 27-Mar-2005 |
| RECEIVE MISSING PARTS? 3MO | 27-Apr-2005 | Reminder 27-Apr-2005 |
| NM PC ? | 18-Jun-2005 | Due Date 20-May-2005 |
| NM CUI AWAIT FILING RECEIPT | 27-Sep-2005 | Due Date |
| RECEIVE MISSING PARTS? 8MO | 27-Sep-2005 | Reminder |
| PETITION TO REVIVE 1MO | 18-Aug-2006 | Reminder |
| PETITION TO REVIVE | 18-Sep-2006 | Final |

Country Application

Thursday, August 10, 2006

Page: 2 of 2

User ID: nanci

Date Created: 11-Jan-2005

Last Update: 24-Jul-2006

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| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/522,520 | Gerd Mossakowski | 100717-648 CH |

| |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/DE03/02556

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 07/29/2003 | 07/29/2002 |

27388
NORRIS, MCLAUGHLIN & MARCUS
875 THIRD AVE
18TH FLOOR
NEW YORK, NY 10022

CONFIRMATION NO. 1458

371
ABANDONMENT/TERMINATION
LETTER



0CC00000019656547

Date Mailed: 07/18/2006

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 07/29/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/522,520 | Gerd Mossakowski | 100717-648 |

INTERNATIONAL APPLICATION NO.

PCT/DE03/02556

LA. FILING DATE

PRIORITY DATE

07/29/2003

07/29/2002

Christa Hildebrand
 875 Third Avenue
 18th Floor
 New York, NY 10022

CONFIRMATION NO. 1458

371 FORMALITIES LETTER



OC00000016603438

Date Mailed: 07/29/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/27/2005
- English Translation of the IA filed on 01/27/2005
- Copy of the International Search Report filed on 01/27/2005
- Preliminary Amendments filed on 01/27/2005
- Information Disclosure Statements filed on 01/27/2005
- U.S. Basic National Fees filed on 01/27/2005
- Priority Documents filed on 01/27/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 2 - OFFICE COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/522,520 | PCT/DE03/02556 | 100717-648 |

FORM PCT/DO/EO/805 (371 Formalities Notice)